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13 SUPERIOR COURT OF CALIFORNIA, COUNTY OF SANTA CLARA

14  
15 CITY OF SAN JOSE; PEOPLE OF THE  
STATE OF CALIFORNIA; GINDIN-R&B  
16 COMPANY

17 Plaintiff,

18 vs.

19 MARTIN & ROSANNA ALVAREZ, et al.

20 Defendants.

NO. 1-96-CV 759667

DECLARATION OF Teresa Varela  
IN SUPPORT OF MOTION TO  
MODIFY THE PERMANENT  
INJUNCTION AND FINAL JUDGMENT  
PURSUANT TO STIPULATION FILED  
ON APRIL 11, 1997

DATE: January 29, 2010

TIME: 9:00 a.m.

DEPT: 5

JUDGE: Hon. Mary Jo Levinger

21  
22  
23  
24  
25 I, Teresa Varela, declare as follows:  
26 PRINT NAME  
27  
28

1. I am a tenant in the Santee Neighborhood at the property address of 1352 Dubert Ln. Apt. #2, which is under the Permanent Injunctions. I have lived at this address since Sept. of 1999

10. Attached hereto as Exhibit A is a copy of a letter that I have written to the Judge in this matter.

I declare under penalty of perjury under the laws of the State of California that the foregoing and the information contained in my letter attached as Exhibit A are true and correct. This declaration was executed on December 18, 2009, at San Jose, California.

**Signature**

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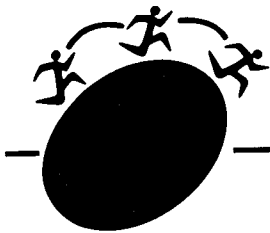
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Print Name \_\_\_\_\_

Yo: Teresa Varela

Declaro que en esta area  
todo esta muy mal principalmente  
los Apartamentos que reportamos  
Un hoyo que está atras de la puerta  
de entrada por mas de ~~un~~ <sup>año</sup> y medio  
tambien el baño se tiraba el agua  
del techo y reportabamos por más  
de año y medio y no Venian arreglar  
Se mira muy feo aparte de eso  
las paredes del baño tienen mucho  
moho y se cansa uno de reportar  
y no le hacen caso. Tambien hablando  
de otras cosas hay pandilleros por  
por toda la Comunidad, rayan paredes  
rompen los Vidrios de los Carros y  
roban cualquier cosa que uno deja  
~~algo~~ mal puesto un lado de la puerta  
yo les digo esto porque nosotros dejamos  
una Vicileta como por 5 minutos y se la  
robaron y fueron ~~uno~~ unos pandilleros que →

andaban atras de los Apartamentos.  
También los que Cuidan Segun la  
Comunidad o Sea los de Seguridad  
esos Se dedican Solamente a recoger  
Carros y no a Ver que problemas  
tenemos nosotros o a Ver Si hay  
Pandilleros.



# Atlas Interpreters

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I, Teresa Varela, declare that in this area everything is very bad, mainly in the apartments. We report a pit which is behind the entry door and has been there for more than a year and a half. Also the bathroom -- the water has been taken from the roof and we have been reporting it for more than a year and a half and nobody has come to fix it. It looks very ugly. In addition to this the bathroom walls are covered with mildew and we get tired of reporting it and nobody paying any attention. Also speaking of other things, there are gangs all over the neighborhood, they write on the walls and break car window and steal anything that anybody leaves outside. I'm telling you this because we left a bicycle outside for about five minutes and it was stolen by some of the gang members who →

B.1

were walking behind the apartments. Also those who are caretakers in the neighborhood or rather those who are in security are dedicated only to recovering cars and not to see what problems we are having and not to see if there are gangs.

B.2

State of California )  
City of San Jose ) ss.

## CERTIFICATION

This is to certify that I, David Grant Stewart, am competent to translate from Spanish into English, that the above document is an accurate and complete translation from Spanish into English of the original document, and that I have translated this document to the best of my knowledge and belief.

*David G. Stewart*  
David Grant Stewart  
December 21, 2009